

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

0 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT  
District of New Jersey**

In Re: Eli Sabban

Case No.:

18-14121

Judge:

Andrew B. Altenburg, Jr.

Debtor(s)

**CHAPTER 13 PLAN AND MOTIONS**

☐ Original

☒ Modified/Notice Required

Date:

May 9, 2018

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE.

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney JRS

Initial Debtor: E S

Initial Co-Debtor \_\_\_\_\_

### Part 1: Payment and Length of Plan

a. The debtor shall pay \$1,640.00 paid to date then \$820.00 per month starting on June 1, 2018 for the remaining 58 months of the Plan to the Chapter 13 Trustee, for an approximate plan length of 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings  
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property:  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property:  
Description:  
Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

### Part 2: Adequate Protection

☒ NONE

a. Adequate protection payments will be made in the amount of \$\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_ (creditor).

### Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Joel R. Spivack, Esquire	Attorney Fees	2,000.00
Internal Revenue Service	Taxes and certain other debts	56.00
State of New Jersey	Taxes and certain other debts	972.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:

- ☒ None  
☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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#### Part 4: Secured Claims

##### a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Quicken Loans Inc.	9 Buttonbush Ct. Mount Laurel, NJ 08054 Burlington County Debtor is not on the Deed or Note. He is solely listed on the Mortgage. Therefore, Debtor has a Marital Interest in the home only	186.35	3.75	204.60	1,344.88

##### b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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##### c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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##### d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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-NONE-							
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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**f. Secured Claims Unaffected by the Plan ☒ NONE**

The following secured claims are unaffected by the Plan:

Creditor

**g. Secured Claims to be Paid in Full Through the Plan ☒ NONE**

Creditor	Collateral	Total Amount to be Paid through the Plan
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**Part 5: Unsecured Claims ☐ NONE**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$\_\_\_ to be distributed *pro rata*
- ☒ Not less than 100 percent
- ☐ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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**Part 6: Executory Contracts and Unexpired Leases ☒ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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**Part 7: Motions ☒ NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with**

local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

**a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).** ☒ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.** ☒  
**NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.** ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

**d. Post-Petition Claims**

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification** ☒ **NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: March 13, 2018.

Explain below **why** the plan is being modified:

To address the Proof of Claim of Quicken Loans and subsequent Consent Order signed by the Court on April 18, 2018 resolving Quicken Loans Objection. Debtor has a marital interest in the home, he is not on deed or note, but is on the mortgage.

Explain below **how** the plan is being modified:

Adding Quicken Loans to secured claims and paying the arrears as noted on Quicken Loans proof of claim

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

**Part 10 : Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date	<u>May 9, 2018</u>	<u>/s/ Joel R. Spivack, Esquire</u> Joel R. Spivack, Esquire
		Attorney for the Debtor
Date:	<u>May 9, 2018</u>	<u>/s/ Eli Sabban</u> Eli Sabban
		Debtor
Date:	<u></u>	<u></u> Joint Debtor

**Signatures**

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date	<u>May 9, 2018</u>	<u>/s/ Joel R. Spivack, Esquire</u> Joel R. Spivack, Esquire
		Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date:	<u>May 9, 2018</u>	<u>/s/ Eli Sabban</u> Eli Sabban
		Debtor
Date:	<u></u>	<u></u> Joint Debtor

**Certificate of Notice Page 7 of 8**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Eli Sabban  
 Debtor

Case No. 18-14121-ABA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 40

Date Rcvd: May 10, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 12, 2018.

db  
 517364846 ++Eli Sabban, 9 Buttonbush Ct., Mount Laurel, NJ 08054-4951  
 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: AAA Financial Services, PO Box 982234, El Paso, TX 79998-2234)  
 517364851 Bank of America, 4060 Ogletown Stanton Road, Newark, DE 19713-3102  
 517364850 Bank of America, PO Box 15026, Wilmington, DE 19850-5026  
 517364849 Bank of America, PO Box 1390, Norfolk, VA 23501-1390  
 517523570 ++Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284  
 517364852 ++Chase Bank One Card Services, PO Box 15298, Wilmington, DE 19850-5298  
 517364853 Chase Slate, PO Box 15123, Wilmington, DE 19850-5123  
 517364854 ++Chase/Bank One Card Serv, 800 Brooksedge Blv, Westerville, OH 43081-2822  
 517364855 Credit First National Association, PO Box 81315, Cleveland, OH 44181-0315  
 517364865 Fulton Bank of New Jersey, Cardmember Service, PO Box 6354, Fargo, ND 58125-6354  
 517364866 Fulton Bank of New Jersey, Cardmember Service, PO Box 6335, Fargo, ND 58125-6335  
 517364869 ++Laura Sabban, 9 Buttonbush Ct., Mount Laurel, NJ 08054-4951  
 517378797 ++Quicken Loans Inc., KML Law Group, P.C., 216 Haddon Avenue, Suite 406,  
 Westmont, NJ 08108-2812  
 517473796 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
 TRENTON NJ 08646-0245  
 (address filed with court: State of New Jersey, Department of Treasury,  
 Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)  
 517416458 ++TD Bank N.A., Richard J Tracy III Esquire, 30 Montgomery Street Suite 1205,  
 Jersey City NJ 07302-3835  
 517415524 ++TD Bank, N.A., Payment Processing, PO Box 16029, Lewiston, ME 04243-9507  
 517409439 U.S. Bank NA dba Elan Financial Services, Bankruptcy Department, PO Box 108,  
 St. Louis, MO 63166-0108  
 517364863 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
 (address filed with court: Elan Financial, CB Disputes, PO Box 108,  
 Saint Louis, MO 63166)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov May 10 2018 23:27:36 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg ++E-mail/Text: ustpregion03.ne.ecf@usdoj.gov May 10 2018 23:27:35 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 517364859 E-mail/PDF: creditonebknofications@resurgent.com May 10 2018 23:33:56 Credit One Bank,  
 PO Box 98872, Las Vegas, NV 89193-8872  
 517364856 E-mail/PDF: creditonebknofications@resurgent.com May 10 2018 23:34:30 Credit One Bank,  
 PO Box 98873, Las Vegas, NV 89193-8873  
 517364858 E-mail/PDF: creditonebknofications@resurgent.com May 10 2018 23:33:56 Credit One Bank,  
 PO Box 60500, City of Industry, CA 91716-0500  
 517364861 E-mail/Text: mrdiscen@discover.com May 10 2018 23:26:57 Discover, PO Bxo 15316,  
 Wilmington, DE 19850-5316  
 517364860 E-mail/Text: mrdiscen@discover.com May 10 2018 23:26:57 Discover, PO Box 6011,  
 Dover, DE 19903-6011  
 517364862 E-mail/Text: mrdiscen@discover.com May 10 2018 23:26:57 Discover Bank, PO Box 3025,  
 New Albany, OH 43054-3025  
 517379393 E-mail/Text: mrdiscen@discover.com May 10 2018 23:26:57 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 517364868 E-mail/Text: cio.bncmail@irs.gov May 10 2018 23:27:16 Internal Revenue Service,  
 PO Box 21126, Philadelphia, PA 19114  
 517515001 E-mail/PDF: resurgentbknofications@resurgent.com May 10 2018 23:34:37  
 LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and,  
 FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 517364870 ++E-mail/Text: ustpregion03.ne.ecf@usdoj.gov May 10 2018 23:27:35 Office of the U.S. Trustee,  
 District of New Jersey, U.S. Department of Justice, One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 517466747 E-mail/Text: bnc-quantum@quantum3group.com May 10 2018 23:27:30  
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788  
 517390028 ++E-mail/Text: bankruptcyteam@quickenloans.com May 10 2018 23:28:00 Quicken Loans Inc.,  
 635 Woodward Avenue, Detroit MI 48226-3408  
 517364872 E-mail/PDF: gecsedirecoverycorp.com May 10 2018 23:34:57 Synch/Care Credit,  
 PO Box 965036, Orlando, FL 32896-5036  
 517367019 ++E-mail/PDF: gecsedirecoverycorp.com May 10 2018 23:34:58 Synchrony Bank,  
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 517364874 E-mail/Text: bankruptcytd.com May 10 2018 23:27:39 TD Bank, Operations Center,  
 PO Box 219, Lewiston, ME 04243  
 517364876 E-mail/Text: bankruptcytd.com May 10 2018 23:27:39 TD Bank, PO Box 1377,  
 Lewiston, ME 04243-1377  
 517364875 E-mail/Text: bankruptcytd.com May 10 2018 23:27:39 TD Bank, PO Box 219,  
 Lewiston, ME 04243  
 517364873 E-mail/Text: bankruptcytd.com May 10 2018 23:27:39 TD Bank, PO Box 84037,  
 Columbus, GA 31908-4037

District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 40

Date Rcvd: May 10, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

517364877 E-mail/Text: bankruptcy@td.com May 10 2018 23:27:39 Td Bank N.a., 32 Chestnut Street,  
Lewiston, ME 04240

TOTAL: 21

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*  
517364847\* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
(address filed with court: Bank of America, PO Box 982234, El Paso, TX 79998-2234)  
517364848\* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
(address filed with court: Bank of America, PO Box 982238, El Paso, TX 79998-2235)  
517364857\* +Credit One Bank, PO Box 98873, Las Vegas, NV 89193-8873  
517364867\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
PHILADELPHIA PA 19101-7346  
(address filed with court: Internal Revenue Service, Special Procedures Branch,  
Bankruptcy Section, PO Box 724, Springfield, NJ 07081-0724)  
517378800\* Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346  
517522961\* +Laura Sabban, 9 Buttonbush Ct., Mount Laurel, NJ 08054-4951  
517522962\* +Quicken Loans Inc., 635 Woodward Avenue, Detroit, MI 48226-3408  
517364871\* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
TRENTON NJ 08646-0245  
(address filed with court: State of New Jersey, Department of the Treasury,  
Division of Taxation, PO Box 269, Trenton, NJ 08695-0269)  
517364864\* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
(address filed with court: Elan Financial Service, PO Box 108, Saint Louis, MO 63166)  
TOTALS: 0, \* 9, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 12, 2018

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 9, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Quicken Loans Inc. dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Joel R. Spivack on behalf of Debtor Eli Sabban joel@spivacklaw.com,  
admin@spivacklaw.com;r44331@notify.bestcase.com  
Rebecca Ann Solarz on behalf of Creditor Quicken Loans Inc. rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5